

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION**  
**TOWN OF WOODBRIDGE**  
**REGULAR MEETING OF MARCH 1, 2021**

A regular meeting of the Town Plan and Zoning Commission for the Town of Woodbridge scheduled for Monday March 1, 2021 via WebEx was called to order at 6:35 pm by Chairman Rob Klee.

**ROLL CALL**

PRESENT: Robert Klee – Chair, Yonatan Zamir, Paul Schatz, Larry Greenberg, and Andrew Skolnick

ALTERNATE: Jeff Kennedy

EXCUSED: Chris Sorensen (alternate)

Zoning Enforcement Officer (ZEO) Kristine Sullivan also participated in the meeting. Kennedy was seated for vacancy created by the resignation of Kathleen Wallace.

**PUBLIC HEARINGS**

**2 Orchard Road LLC and Open Communities Trust, LLC (Hearing Continuation)**  
**Application for Zoning Regulation Amendment and an Amendment to the Town Plan of Conservation and Development (TPCD) Regarding Multifamily and Affordable Housing**

The Chairman gave opening remarks for the public hearing noting that the hearing continuation would include time for public comments, comments by the applications, comments by Attorney Herbst and comments by Commission members.

The following items of correspondence had been received since the public hearing continuation on February 22, 2021, where distributed to Commission members and posted on the Commission page of the Town Website:

- Letter dated February 26, 2021 from Mary Gorham, 21 Old Mill Road
- Email dated February 27, 2021 from Hap and Stacey Perkins
- Email from Alec Lawson, Simsbury, CT

*Note: In addition to the foregoing, a Memorandum dated February 24, 2021 from Woodbridge First Selectman Beth Heller and the charge establishing the Woodbridge Housing Opportunity Study Committee, as well as the resume of Commission Planning Consultant Glen Chalder had been entered into the hearing record and posted on the Commission page of the Town Website.*

The Chairman then called on Patrick Holland, a Yale law student member of the applicant's presentation team, to ask procedural questions that the applicants had. Mr. Holland had the following two questions:

1. Made a request to have emails that had been sent directly to Commission members by the public added to the hearing record; and
2. Discussion of the request to the applicants relative to the continuation of the public hearing

In response to the first request, Attorney Dubuque, legal counsel for the Commission, recommended that the Commission deny the request since:

- The Commission members had previously been directed to not read/block/delete any emails that they had received directly from members of the public
- The town wide flyer encouraging sending emails directly to members had been added to the hearing record
- There was no legal obligation under the Freedom of Information regulations to have individual commission members emails made public only the Agency record.

Following discussion in which all of the Commission members noted that they had not read/deleted and/or blocked emails as they had been directed to do, all of the commission members were in favor of denying the request to have emails that had been sent directly to Commission members by the public added to the hearing record. Mr. Holland noted his objection to the denial of the request by the Commission members.

Relative to the request to extend the date for concluding the public hearing, Mr. Holland requested to know what new material might be provided. Attorney Dubuque responded that his request was not appropriate, and that the Commission could not know now if any additional information would or would not be submitted for the public hearing. Further discussion was deferred until the end of the public hearing later in the meeting.

The Chairman then read into the hearing record a letter from Ronald Walters, Senior Environmental Analyst, at the South Central Regional Water Authority dated March 1, 2021 which had been emailed to staff in the late afternoon. This letter was read into the record since it was from a public entity rather than a private member of the public, whose letters are in the hearing record, but not read. This letter had also been provided directly to Mr. Mark Levine Woodbridge Regional Policy Board Representative, Ms. Pat Bisacky, CT Department of Public Health, Mr. Timothy Hollister, Shipman & Goodwin, Ms. Erin Boggs, Open Community Alliance, and Mr. Glenn Chalder, Planimetrics, Inc. This correspondence will be posted on the Commission page of the Town Website.

The Chairman then opened the public hearing for public comment, noting that speakers were limited to three minutes to make their comments and that questions that were posed would not be answered. Members of the public who had previously spoken were requested to defer to those who had not yet had the opportunity to speak. Betsy Yagla, Assistant Administrative Officer for the Town of Woodbridge assisted with this portion of the public hearing. Members of the public who spoke were:

- Elizabeth Chicos (*Note: she stated that she would submit data that she referenced in her comments for the hearing record*)
- Mary Gorham
- Jim Horowitz
- Karen DuBois Walton
- James Hubbard
- Maria Solomon
- Jaena Betha
- Nancy Kline
- Andrea Hubbard

The following members of the public who had spoken at prior public hearing proceedings relative to the subject application also spoke:

- Ian Glassman
- Lou Ruotolo

There being no further comments from the public, the Chairman called a seven minute recess in the hearing proceedings.

When the hearing resumed, the Chairman called on the applicants to ask any questions that they had. Hannah Abelow, a Yale law student member of the applicant's presentation team, stated that they would respond at the next hearing continuation date.

The Chairman then asked Commission members if they had any questions to ask of the applicants. At this time Commissioners Zamir, Kennedy, Klee and Schatz directed

questions to applicant's representatives which were responded to by Ms. Abelow, Ms. Anderson, a Yale law student member of the applicant's presentation team, the applicant's planning consultant Donald Poland and Attorney Erin Boggs. Attorney Dubuque also participated in this portion of the hearing.

Commissioners Skolnick and Greenberg had no questions this evening.

In response to a query by Commissioner Zamir if the Department of Public Health could weigh in on what process they do when reviewing housing projects that come before them, Attorney Dubuque recommended that the Commission's planning consultant, Glenn Chalder reach out to the Department of Public Health on that issue and provide information to the Commission at the next hearing continuation date. Mr. Chalder agreed to do so. He will also be providing possible alternatives for the Commission to consider.

There was then discussion of when the final hearing dates on the subject application would be. Relative to the next hearing continuation date, the following action was taken by the Commission:

**\*\* Commissioner Schatz moved to continue the public hearing until Thursday, March 18, 2021 at 6:30 pm via WebEx.**

**\*\* Commissioner Klee seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

After the hearing continuation date had been scheduled, there was discussion of granting of an extension of time by the applicants to allow the public hearing to be continued to no later than Friday April 9, 2021. Mr. Poland, speaking on behalf of the applicants, consented to grant an extension of time until Friday April 9, 2021 if there was a "glitch" that happened that did not allow the public hearing to be concluded at the Commission's regular meeting date on Monday, April 5, 2021.

The Chairman then thanked the members of the public who had participated and or watched the public hearing.

### **New England Brewing Company: 1710 Litchfield Turnpike**

#### **Applications for:**

- **Architectural review under Section 3.3.U.7.**
- **Site plan review under Section 5.5.**
- **Soil erosion and sedimentation control plan review under Section 6.4.**
- **Special exception for a manufacturer of beer and brew pub under Section 3.3.HH.1.i.**
- **Special exception for a second wall sign per Table 4.7, Item 3.**
- **Special exception for two freestanding signs per Table 4.7, Item 8.**
- **Special exception for earth material movement in excess of 1,000 cubic yards on a parcel more than five (5) acres in size per Section 3.3.N.**
- **Zoning text change to add "brew pub" to Section 3.3.HH.3.a. as shown below:  
Except for restaurants in the B, BI, GB, GBA, and Dev 1 Zones operating under CT Gen. Statutes, businesses in the BI, GB, GBA, and Dev 1 Zones operating under a manufacturer of beer permit under CT Gen. Statute Section § 30-20(b), brew pubs, and golf clubs including a catering hall of not more than three thousand five hundred (3,500) square feet in size and/or restaurant and/or**

**concession stand operating respectively under CT Gen. Statute, no building or premises shall be used...**

The Chairman noted that a letter of withdrawal of this application had been received. The application having been withdrawn, no further action on behalf of the Commission was required.

**RECEIPT AND APPROPRIATE ACTION ON APPLICATIONS AND 8-24 REFERRALS RECEIVED SINCE THE FEBRUARY 1, 2021 ADJOURNED TO FEBRUARY 9, 2021 REGULAR MEETING OF THE COMMISSION**

There was no new business to come before the Commission.

**WORK SESSION**  
**REPORT ON ACTIVITIES OF THE SCRCOG**

Commissioner Skolnick reported that there was a meeting of the Regional Planning Commission of SCRCOG on February 11, 2021. At that meeting there had been action on a referral by the Town of Orange for a proposed Zoning Regulation Amendment to delete Article XXIV –Transit Oriented Development District (TODD) and a proposed Zoning Map Amendment to rezone the TODD to LI-2 or LI-4. The Commission had found that there would be no adverse intermunicipal impacts or impacts on Long Island Sound.

He also reported that he had been elected to serve on the Executive Committee of the Regional Planning Commission.

**ELECTION OF COMMISSION VICE CHAIR AND SECRETARY**

The Chairman noted that due to the resignation of Commissioner Wallace, that a new Secretary for the Commission needed to be elected. He also advised that a Vice Chair should also be elected in case the Chairman was not able to attend a meeting.

**\*\* Commissioner Schatz moved to nominate Commissioner Zamir as Vice Chair of the Commission**

**\*\* Commissioner Klee seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

**\*\* Commissioner Kennedy moved to nominate Commissioner Schatz as Secretary of the Commission**

**\*\* Commissioner Skolnick seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

### **CORRESPONDENCE RECEIVED**

Consideration and appropriate action regarding correspondence received since the February 1, 2021 regular meeting of the Commission not related to items before the Commission:

1. Email letter of resignation from Commissioner Kathleen Wallace, Commission Secretary

*Note: Commission members commented that Commissioner Wallace would be sorely missed. They added that she had been excellent to work with and enjoyable to serve alongside, was respected for her diligence, expert analysis, and studious work as a member of the Commission*

2. Email with attached letter from David Schneider of 25 Cassway Road regarding warranty to be filed by Field Turf for Amity High School Fields

3. Email from Catherine Scott, 34 N. Pease Road with questions regarding the Amity Regional School Districts permit to install artificial turf on the Stadium Field.

*Note: it was the consensus of the Commission members to refer the emails from Mr. Schneider and Ms. Scott to Town Counsel to determine if it was permissible/appropriate for the Commission to respond given that the hearing on the subject permit had been closed, a permit issued, an appeal of that permit taken and then withdrawn. A response from Town Counsel will be requested for the Commission's regular meeting on April 5, 2021.*

### **APPROVAL OF MINUTES**

No action was taken regarding minutes of prior meetings of the Commission.

### **MEETING ADJOURNMENT**

**\*\* Commissioner Schatz moved to adjourn the meeting at 9:33 pm.**

**\*\* Commissioner Skolnick seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

**Accordingly, the meeting was adjourned at 9:33 pm.**

Respectfully submitted,

Kristine Sullivan, Acting Recording Secretary